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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/557,570

04/25/2000

Frank B. Manning

1517.1007-001

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08/19/2004

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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EXAMINER

BARNIE, REXFORD N

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 08/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/557,570

Applicant(s)

MANNING, FRANK B.

Examiner

REXFORD N BARNIE

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*R N Barnie*  
**REXFORD BARNIE**  
**PRIMARY EXAMINER**

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 16-19, 22, 26, 27, 41-44, 46-47 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robin et al. (US Pat# 6,137,877) in view of Eaton (US Pat# 6,137,877).

Regarding claims 1 and 50, Robin teaches a method and apparatus for routing a dialed telephone number comprising of using a prefix portion in determining an action to be taken and generating a dialing sequence based on the telephone number and prefix in (see figs., col. 2 lines 47-58, col. 5 line 26-col. 6, col. 9 lines 52-65, col. 10 lines 34-col. 11 line 11, col. 12 line 30-65). Furthermore, according to Robin, a prefix entry can be searched for further action and a carrier can be designated to complete a call using a carrier code and a list can be searched (see fig. 4). Robin fails to teach accessing information or dialing sequence in a table format.

Eaton teaches a telephone dialing code processor in (see fig. 4) wherein digits dialed can be decipher and modified in (see col. 4, fig. 4) by using a table.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Eaton into that of Robin thus

Art Unit: 2643

making it possible to complete without having to dial or remember the entire number including exchange codes.

Regarding claims 2 and 27, the combination renders the claimed subject matter by teaching that a prefix could be 0, 1, 011 and so forth.

Regarding claims 16-19, 22, 41-44 and 46-47, The combination teaches a long distance carrier codes for completing calls but fails to teach the claimed subject matter in detail but the examiner takes official notice that it's well known in the art to look up long distance carrier codes or least cost routing codes based on dialed area code information and so forth.

Regarding claim 26, Robin teaches a method and apparatus for routing a dialed telephone number comprising of using a prefix portion in determining an action to be taken and generating a dialing sequence based on the telephone number and prefix in (see figs., col. 2 lines 47-58, col. 5 line 26-col. 6, col. 9 lines 52-65, col. 10 lines 34-col. 11 line 11, col. 12 line 30-65). Furthermore, according to Robin, a prefix entry can be searched for further action and a carrier can be designated to complete a call using a carrier code and a list can be searched (see fig. 4). Robin fails to teach accessing information or dialing sequence in a table format.

Eaton teaches a telephone dialing code processor in (see fig. 4) wherein digits dialed can be decipher and modified in (see col. 4, fig. 4) by using a table.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Eaton into that of Robin thus

making it possible to complete without having to dial or remember the entire number including exchange codes.

Note that the claimed apparatus would perform the method steps.

Claims 3-15, 20, 21, 28-40 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robin et al. (US Pat# 6,137,877) in view of Eaton (US Pat# 6,137,877) and further in view of Kammath et al. (US Pat# 5,887,058).

Regarding claims 3-15, 20, 21, 28-40 and 45, The combination fails to teach the claimed limitations in detail but Kammath teaches a digit parsing for flexible dial plan capability wherein in (see figs. Including figs. 8A, 8B and disclosure), various actions can be taken based on dialing algorithm. Note that dialing algorithms are known and could be incorporated in either a subscriber device or network element for instance speed dialing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kammath into the combination thus making it possible to determine course of dialing actions based on stored parameters in order to complete telephone calls.

Claims 23-25, 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robin et al. (US Pat# 6,137,877) in view of Eaton (US Pat# 6,137,877) and further in view of Robinson (US Pat# 6,408,067)

Regarding claims 23-25, 48 and 49 The combination fails to teach the claimed subject matter in detail but Robinson teaches methods and apparatus for dialing destination numbers with additional DTMF signals wherein further analysis can be done

Art Unit: 2643

on a dialed prefix to determine how to generate a complete number (see col. 4 lines 10-18, col. 6-7) and also, information can downloaded via a remote computer in (see col. 7 lines 41-42)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Robinson into that the combination thus making it possible to determine dialing algorithms including least cost routing based on stored information

The combination fails to teach downloading information via DTMF which is notoriously well and the examiner takes official notice as such.

Therefore, it would have been obvious to one of ordinary skill in the art to download information to a phone device via any well known means in order to decipher and store the information for future purposes including call completion without having to dial the entire number and incentives including least cost routing can be provided to subscribers.

Claims 1, 26 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robin et al. (US Pat# 6,137,877) in view of Kammath et al. (US Pat# 5,887,058).

Regarding claims 1, 26 and 50, Robin teaches a method and apparatus for routing a dialed telephone number comprising of using a prefix portion in determining an action to be taken and generating a dialing sequence based on the telephone number and prefix in (see figs., col. 2 lines 47-58, col. 5 line 26-col. 6, col. 9 lines 52-65, col. 10 lines 34-col. 11 line 11, col. 12 line 30-65). Furthermore, according to Robin, a prefix entry can be searched for further action and a carrier can be designated to complete a

Art Unit: 2643

call using a carrier code and a list can be searched (see fig. 4). Robin fails to teach accessing information or dialing sequence in a table format.

Kammath teaches a dialing plan system wherein dialing action parameters can be used in part based on prefix information and also, table entries in (see figs. And disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kammath thus making it possible to complete calls effectively based on structured dialing parameters.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N BARNIE** whose telephone number is (703)306-2744. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER  
REXFORD BARNIE, 08/13/04

  
REXFORD BARNIE  
PRIMARY EXAMINER